

Sec. 49-538.1. Definitions.

- (1) *Entertainer(s)*. An individual or group of individuals providing a public performance.
 - (2) *Food court*. A group of two (2) or more restaurants operated in the same fixed premises with common seating and central access, where access to the premises is controlled by the property owner or his designated representative.
 - (3) *Kiosk*. A small, quasi-permanent booth-like structure used for vending.
 - (3.5) *Manager*. The manager of public works or the manager's designee.
 - (4) *Product sampling*. The free distribution of a tangible product on the 16th Street Pedestrian and Transit Mall.
 - (5) *Public seating area*. A free, public amenity on the 16th Street Pedestrian and Transit Mall located in the median area. Any person may use a public seating area free of charge.
 - (6) *Pushcart*. A lightweight cart that is pushed by hand and used for vending.
 - (7) *Sidewalk cafe*. An extension of an existing, indoor, licensed restaurant. Persons utilizing the sidewalk cafe must be patrons of the restaurant.
- (Ord. No. 112-94, § 1, 2-22-94; Ord. No. 889-04, § 1, 11-29-04)

Sec. 49-538.3. Eligibility.

- (1) The manager may issue to any person or organization a permit for a vending pushcart, kiosk, public seating area, sidewalk cafe, sidewalk sale, special event or entertainment on the 16th Street Pedestrian and Transit Mall at a location approved by the manager. The manager has authority to promulgate rules and regulations as necessary to implement this process.
 - (2) A pushcart vendor may sell food and beverages, flowers, merchandise or services. A kiosk operator may sell flowers, merchandise or services. A sidewalk cafe operator may sell only food and beverages. A public seating area operator provides free seating to the public. Entertainers may collect tips.
 - (3) The manager may issue to an organization or group a daily permit allowing them to hand out free product samples on the 16th Street Pedestrian and Transit Mall.
 - (4) Once a permit has been issued and remains in effect for a vending pushcart, kiosk, sidewalk cafe, public seating area, product sampling, or sidewalk sale at a given location, no other person or organization may be issued such a permit for the same location and time period.
 - (5) It shall be unlawful for any person or organization to operate a vending pushcart, kiosk, sidewalk cafe, public seating area, sidewalk sale, entertainer, or to offer product samples or carry on the business of a peddler on the 16th Street Pedestrian and Transit Mall except as permitted in this division.
- (Ord. No. 112-94, § 1, 2-22-94; Ord. No. 889-04, § 1, 11-29-04)